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Lead Counsel for Plaintiffs and the Class

LIST OF COUNSEL CONTINUED ON SECOND PAGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GIUSEPPE PAMPENA, on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

ELON R. MUSK,

Defendant.

CASE NO. 3:22-CV-05937-CRB

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING DISCOVERY
DEADLINE TO DEPOSE DEFENDANT**

Judge: Hon. Charles R. Breyer

Magistrate Judge: Hon. Donna M. Ryu

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19 *Attorneys for Defendant Elon Musk*

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STIPULATION AND ~~[PROPOSED]~~ ORDER

Pursuant to Civil Local Rule 37-3, the parties, upon reaching agreement to the terms set forth below, jointly stipulate to resolve their discovery dispute surrounding the deposition of Defendant Elon Musk.

WHEREAS, the fact discovery cut-off in this case was March 31, 2025 (ECF 121);

WHEREAS, the Parties entered into a stipulation on March 6, 2025, which was entered as an Order by this Court on March 11, 2025 (“Stipulation and Order”), whereby it was agreed that: “1) The fact discovery cut-off shall be extended for the limited purpose of taking Defendant’s deposition, and for any motion that Plaintiffs may file relating to Defendant’s deposition; 2) Defendant’s Deposition shall be taken on April 3, 2025, tentatively starting at 9:00 a.m., at a location to be determined in Washington, D.C.” (ECF 135);

WHEREAS, pursuant to the Stipulation and Order, Plaintiffs’ counsel travelled to Washington, D.C. and appeared on the agreed-upon day, time, and location of the deposition on April 3, 2025;

WHEREAS, Defendant’s counsel stated that Defendant was ill and unable to appear for his deposition set by Stipulation and Order on April 3, 2025;

WHEREAS, Defendant has agreed to reimburse Plaintiffs’ counsel for reasonable costs and expenses incurred in connection with their trip to Washington D.C. to take Defendant’s deposition, which shall be paid within twenty-one (21) days of the parties reaching an agreement as to the amount owed or Court order;

WHEREAS, the close of fact discovery has now passed, but pursuant to the Stipulation and Order regarding Defendant’s deposition, this matter may continue to be addressed (ECF 135);

WHEREAS, Defendant has agreed to reschedule his deposition for May 7, 2025, in San Francisco, California, which is a firm date that shall not be moved again;

WHEREAS, the parties have met and conferred, and for good cause, subject to the Court’s approval below, agreed that (1) Defendant shall reimburse Plaintiffs’ counsel for the costs and fees incurred by travelling to Washington D.C. for the deposition at which Defendant did not appear; (2) Defendant’s deposition shall be taken on May 7, 2025, at 9:00 a.m. PST in San Francisco,

1 California, and (3) Plaintiffs may file any motion concerning Defendant's deposition, while the
2 remaining deadlines in this case would be unaffected.

3 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by the parties hereto,
4 through their undersigned counsel, subject to the approval of the Court:

5 1) Defendant shall reimburse Plaintiffs' counsel for reasonable expenses incurred in
6 connection with the April 3, 2025 deposition within twenty-one (21) days of the parties
7 agreeing to an amount owed or Court order.

8 2) The fact discovery cut-off shall be further extended for the limited purpose of taking
9 Defendant's deposition, and for any motion that Plaintiffs may file relating to Defendant's
10 deposition.

11 3) Defendant's Deposition shall be taken on May 7, 2025, starting at 9:00 a.m. PST, at a
12 location in San Francisco, California, and shall not be rescheduled or moved.

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14 IT IS HEREBY STIPULATED AND AGREED.
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1 DATED: April 10, 2025

2 /s/ Tyson C. Redenbarger

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21 /s/ Francis A. Bottini

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/s/ Stephen Broome

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Attorneys for Defendant Elon Musk

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

I, Mark C. Molumphy, attest that concurrence in the filing of this document has been obtained from the other signatories. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 10th day of April, 2025 at Burlingame, California.

By /s/ Mark C. Molumphy
Mark C. Molumphy

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 11, 2025

By: 

HONORABLE DONNA M. RYU
CHIEF MAGISTRATE JUDGE